

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Michael Bradford,)
)
Plaintiff,) Case No. 1:20-cv-00060
)
vs.) Judge Michael R. Barrett
)
Team Pizza, Inc., et al.,)
)
Defendants.)
)
)

ORDER

This matter is before the Court on the Plaintiff Michael Bradford's Motion to Certify an Interlocutory Appeal. (Doc. 64). Defendants Team Pizza, Inc. and Chris Short filed a Response in Opposition (Doc. 66), and Plaintiff filed a Reply (Doc. 68).

Plaintiff moves this Court to certify its October 19, 2021 Order (Doc. 61), regarding the proper standard under the Fair Labor Standards Act for an employer's reimbursement of vehicle-related costs incurred by the employer's pizza delivery driver employees, for interlocutory appeal under 28 U.S.C. § 1292(b). After a review of the parties' briefing on this issue, the Court is of the opinion that its October 19, 2021 Order (Doc. 61) satisfies the statutory prerequisites of 28 U.S.C. § 1292(b), as the Order involves a controlling question of law, as to which there is substantial ground for difference of opinion, and an immediate appeal from the Order may materially advance the ultimate termination of the litigation. See 28 U.S.C. § 1292(b).

In light of the foregoing, it is hereby **ORDERED** that Plaintiff's Motion to Certify an Interlocutory Appeal (Doc. 64) is **GRANTED**, and the Court **CERTIFIES** its October 19, 2021 Order (Doc. 61) for immediate appeal under 28 U.S.C. § 1292(b).

IT IS SO ORDERED.

/s Michael R. Barrett
Michael R. Barrett, Judge
United States District Court